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In re application of :
Charles S. Vann et al. :
Serial No.09/955,554 :
Filed: September 18, 2001 :
For: MATRIX STORAGE AND DISPENSING SYSTEM :

DECISION ON
PETITION

This is a response to the PETITION FOR WITHDRAWAL OF ABANDONMENT filed July 23, 2003 and resubmitted on July 29, 2004 . The petition requests that the abandonment, as set forth in the Notice of Abandonment of June 10, 2003, for failure to timely file a proper reply to the Office letter of November 15, 2002, be withdrawn since the applicants did timely file a response thereto on January 10, 2003. (A copy of the response filed January 10, 2003 along with the stamped post card receipt is attached to the instant request.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's reply was properly filed on January 10, 2003 as evidenced by the USPTO date stamped return receipt postcard indicating receipt of the reply at the USPTO on January 10, 2003. Accordingly, any holding of abandonment for failure to timely file a proper reply to the Office letter mailed November 10, 2003 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for entry, processing and consideration of the reply originally filed January 10, 2003.

The Petition is **GRANTED**.

J. Stone

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